



**City of Bellevue
Development Services Department
Land Use Division Staff Report**

Proposal Name: Ruiqain Short Plat

Proposal Address: 16324 SE 40th Street & 16334 SE 40th Street

Proposal Description: Subdivide two existing lots into 4 single family lots in the R-5 zoning district.

File Number: 17-114074-LN

Applicant: George Sheng

Decisions Included: Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200.

**State Environmental Policy Act
Threshold Determination:** **Exempt (WAC 197-11-800(6)(a))**

Department Decision: **Approval with Conditions**

Leah Chulsky, Land Use Planner

Leah Chulsky, Associate Land Use Planner
Development Services Department

Application Date: November 2, 2016
Notice of Application: May 9, 2019
Decision Publication Date: October 1, 2020
Appeal Deadline: October 15, 2020

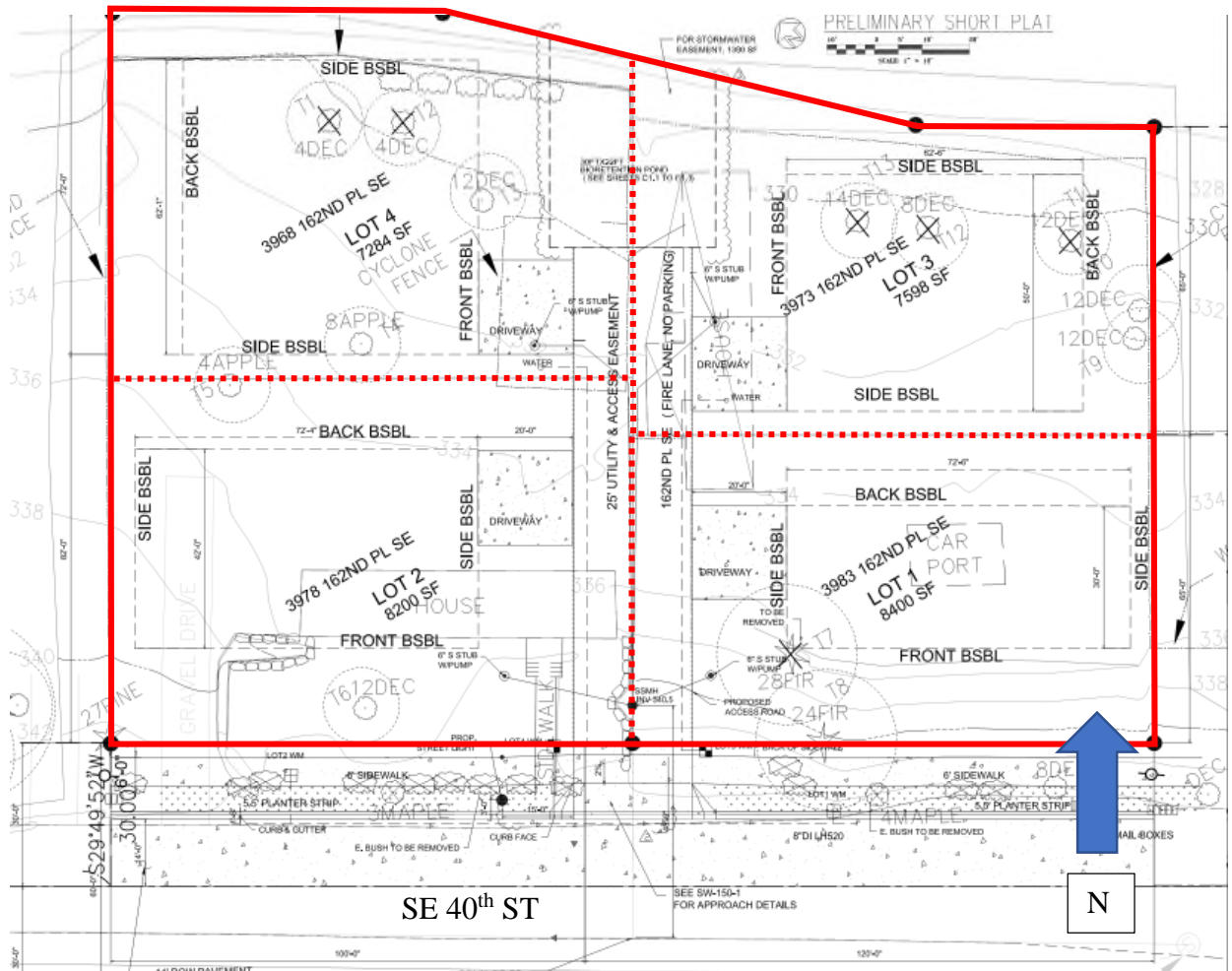
or information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Description of Proposal

A. Description:

The applicant proposes to subdivide two existing lots totaling 29,964 square feet in the R-5 zoning district into four single family lots. The parcels are located are 16324 SE 40th Street and 16334 SE 40th Street. The existing structure located on 16324 SE 40th St was demolished due to fire damage. Lot 1 is proposed to be 8,400 sq. ft., lot 2 is proposed to be 8,200 sq. ft., lot 3 is proposed to be 7,200 sq. ft. and lot 4 is proposed to be 7,248 sq. ft. The lots will be accessed via a shared private access easement. All lots meet the minimum 7,200 sq. ft. lot size within the R-5 zoning district.

Site Plan



B. Review Process/Time Limitation:

Preliminary Short Plat review (LN Permit) is governed by Land Use Code (LUC) 20.45B. The LN is a Process II decision. Process II is an administrative process. The Director of Development Services issues the Preliminary Short Plat decision. An appeal of any Process II decision is heard and decided upon by the City of Bellevue Hearing Examiner.

This Preliminary Short Plat approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the date of this approval or an extension is requested in writing. Refer to Condition of Approval regarding Time Limitation in Section X.A of this report.

II. Site Description and Context

Site Characteristics

The site slopes gently in a southeasterly direction with access to the site provided off SE 40th Street. Adjacent development consists of single-family homes on the south, east and west sides and I-90 to the north. The site contains 11 (130 diameter inches) significant trees.

Aerial Photograph



III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Special District Requirements (Critical Area Overlay District LUC. 20.25H)

There are no critical areas on the site.

B. Zoning

The proposal site is in the R-5 single family land use district and has a Comprehensive Plan designation of Single Family-High (SF-H). The four single family lots proposed with this short plat application are allowed in the R-5 land use district. Refer to discussion of how the proposal will meet the R-5 dimensional requirements in Section III.C below.

The surrounding neighborhood is entirely within the R-5 single-family residential land use district and predominantly consists of single-family homes and the I-405 freeway corridor to the northeast.

Zoning Map



C. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION		
Zoning District	R-5	
Gross Site Area	29,644	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	7,200 sq. ft.	7,200sq. ft. – 7,763 sq. ft.
Minimum Lot Width	60 feet	Proposed minimum 60 ft.
Minimum Lot Depth	80 feet	Proposed minimum 80 ft.
Building Setbacks	Front Yard: 20 feet Rear Yard: 20 feet Min. Side Yard: 5 feet 2 Side Yards Together: 15 feet Setback from Access Easement: Min.10 feet	Proposed Lots 1-4: 20 feet 20 feet 5 feet 15 feet 10 feet

D. Significant Tree Preservation:

Tree preservation requirements pursuant to Section 20.20.900.D.3 require the retention of 30% of significant trees on the site. The applicant has identified 11 viable significant trees on the site with a total of 100 diameter inches. In order to meet the 30% minimum retention requirement, the project was required to retain 30 diameter inches of significant trees. The applicant proposes to preserve seven trees that comprise a total of 88 diameter inches, or 88 % of significant trees. This satisfies minimum tree retention requirements.

See conditions of approval in Section VIII.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no Critical Areas located on the subject property. Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a).

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

Surface Water

The applicant has proposed infiltration and dispersion BMPS to mitigate storm water runoff and treatment from the site. A storm water outfall draining to the downstream property line is proposed. The City of Bellevue Utilities has adequate capacity for providing sanitary sewer for this proposal. The project will be required to mitigate for minimum requirements 1-9 from the Department of Ecology Stormwater Management Manual for Western Washington 2012-2014. The applicant has proposed to use dispersion and infiltration BMPs to meet the requirements. Runoff from the site will be released at predeveloped rates to the downstream property line.

Water

Domestic water for the site is proposed to be connected off an 8" size water main in NE 40th. Individual water meters will be installed to the property line for each lot. Water main will be extended onsite to serve fire as needed. The water system in NE 40th St. had adequate capacity to serve the development.

Sewer

Sewer service will connect to a sewer stub in NE 40th Street via two gravity stubs. Each single-family home will be required to pump sewer to a joint use gravity stub connection in NE 40th Street. The sewer system in NE 40th Street has adequate capacity to serve the development.

See Section VIII of this report for Utilities Department related Conditions of Approval.

B. Fire Department Review

This project is approved without comment.

E. Clear and Grade Department Review

This project is approved without comment.

F. Transportation Department Review

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit.

Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110); or provided that all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements.

Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance.

Site Access and Street Frontage

The proposed four lot short plat is comprised of two existing lots located on the northside of SE 40th Street. Each parcel has one existing single-family residence that share access via a single driveway off SE 40th Street. SE 40th Street is a two-lane local road. There is currently a 4 ft. 8 in. asphalt/gravel shoulder along the site frontage.

Access to the short plat will be via a private road off SE 40th Street. No other access connection to the City right-of-way is authorized. The existing joint use driveway which serves the existing lots must be removed and replaced with the private road previously noted. The private road shall be a paved a minimum of 20 ft. wide and contained within a 25 ft. wide shared access and utility easement. The private road approach onto SE 40th Street must be a paved a minimum of 20 ft. in width and must be constructed per the Transportation Design manual Standard Drawings.

Street names and site address will be determined by the City of Bellevue's Parcel and Address Coordinator.

Street Frontage Improvements

The Riuqian Short Plat has frontage on SE 40th Street. The lots are bordered by single-family lots to the east, west and south. There is currently 23 ft. of pavement width (one travel lane in each direction), and a 4 ft. 8 in. paved/gravel shoulder along the site frontage.

The project street frontage improvements include:

- Widen the roadway on SE 40th Street to provide 14 ft. of asphalt pavement width from the right-of-way centerline to the face of the new curb along the property frontage.
- Install a minimum 6 ft. wide sidewalk, minimum 5.5 ft. wide planter strip and new curb and gutter along the frontage.
- Safety railing behind the sidewalk if warranted per City of Bellevue Transportation Design Manual requirements.
- Install ADA compliant asphalt transition ramps from the east and west ends of the frontage improvements to the existing shoulders on SE 40th Street.
- Remove the existing joint use access driveway and replace with a minimum paved 20 ft. wide private road (25 ft. private access and utilities easement) approach to SE 40th Street per Transportation Design Manual Standard Drawing SW-150-1.
- Fixed objects cannot be located within 10 ft. of the edge of the driveway per the

Transportation Design Manual, Section 15.

- New mailbox locations shall be coordinated with the US Postal Service Station Master and should not impede sight lines.
- Street lighting meeting City of Bellevue's standards per BCC 14.60.210 is required on SE 40th Street. An AGI analysis is required to verify that minimum light levels are met.

Private road improvements shall include:

- The private road must be a minimum of 20 ft. wide contained within a minimum 25 ft. wide shared access and utility easement between SE 40th Street and the north end of the road.
- The private road grade is limited to 10 percent or less for the 20 ft. past the back of the sidewalk and shall be limited to a maximum grade of 15 percent thereafter. Roadway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- Curb and gutter are required on private roads exceeding 9 percent in grade.
- Sight distance requirements must be met per BCC 14.60.240 and 14.60.241 at the intersection of the private road and SE 40th Street.

The design of improvements and the final engineering plans showing those improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the Transportation Department Design Manual prior to approval of the plat infrastructure permit (GE).

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it. Near the development site, SE 40th St. is classified as "Grind and Overlay" required. Should street cuts prove unavoidable or if the street is damaged during the construction process, a half-street or full-street (depending on the extent of the street cuts or damage) grind and overlay will be required for a minimum of 50 ft.

Sight Distance

The private access design shall meet the sight distance requirements of BCC 14.60.240 and 14.60.241. Vegetation shall be trimmed as needed within the sight triangle.

Transportation Impacts and Mitigation

City staff have analyzed the potential short-term operational impacts of this proposal in order to recommend mitigation is necessary. These impacts include traffic operations conditions during a.m. and p.m. peak hours. Due to the minimal number of new p.m. peak hour trips generated by the Riuqian Short Plat, traffic impacts from this development will be minor in nature. Therefore, no additional mitigation is required other than payment of the transportation impact fee and the project site conditions.

See related conditions of approval in Section VIII.

VI. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: May 24, 2017
Public Notice (500 feet): May 9, 2019 (Includes sign installation at the site)
Minimum Comment Period: May 23, 2019

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* on May 9, 2019. It was mailed to property owners within 500 feet of the project site and two public information signs were installed on the same day. No comments were received.

20.45B.130B Decision Criteria for a Preliminary Short Plat.

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. All lots will be accessed by a private driveway off SE 40th St. The applicant will be required to provide drainage improvements designed to service the drainage needs of the site. Additional public water and sewer facilities have been proposed to serve the new development.

- 2. The public interest is served by the short subdivision.**

Finding: The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan while ensuring compliance with City codes and standards.

- 3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.**

Finding: The short plat considers the physical characteristics of the site by minimizing topographic modification and retaining 88 percent of onsite diameter inches of significant trees.

4. **The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.**

Finding: The proposal complies with the Land Use Code requirements for R-5 zoning, the Utility Code and the City of Bellevue Development Standards. Refer to Section III of this staff report for an analysis of Land Use Code consistency.

5. **The proposal is in accord with the Comprehensive Plan (BCC Title 21).**

Finding: The site is located within the Newcastle Subarea of the City. The Comprehensive Plan specifies single-family high (SF-H) development for this property. The proposal complies with applicable Comprehensive Plan policies city-wide and for this Subarea:

The single-family homes are, by use-type, compatible with the surrounding neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (Policy LU-6). The proposed short plat provides housing for Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-4 and LU-5).

The proposal meets Comprehensive Plan policies to preserve existing vegetation and tree canopy on-site (EN-12, UT-6, 25), maintain good surface water quality (EN-21), restrict surface water runoff to predevelopment levels (EN-26, UT-38), and provide traffic mitigation (TR-36).

The proposal meets utility standards (UT-1), provides development on infill or under-utilized sites with adequate urban services and meets the Neighborhood Character goal (HO-3) by maintaining the character of established single family neighborhoods be ensure retention of the majority of the existing tree canopy.

6. **Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

Finding: Each lot can reasonably be developed to current R-5 zoning standards and dimensional requirements without requiring a variance. The proposed lots meet minimum standards for lot width, lot depth, and lot area of the R-5 land use district.

See related condition of approval in Section VIII.

7. **All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access, and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

VII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of Development Services does hereby **approve** the Riuqian Short Plat Preliminary-Final Short Plat **with conditions**.

This approval automatically expires and is void if the applicant fails to submit final plat documents for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160.

VIII. Conditions of Approval:

The following conditions are imposed under authority referenced:

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

Applicable Codes, Standards and Ordinances	Contact Person
Clearing & Grading Code – BCC 23.76	Janney Gwo, 425-452-3190
Construction Codes – BCC Title 23	Bldg. Division, 425-452-6864
Fire Code – BCC 23.11	Travis Ripely, 425-452-2926
Land Use Code – BCC Title 20	Leah Chulsky, 425-452-6834
Noise Control – BCC 9.18	Leah Chulsky, 425-452-6834
Sign Code – BCC Title 22	Leah Chulsky, 425-452-6834
Transportation Development Code – BCC 14.60	Tyler Moore 425-452-6933
Right of Way Use Code – BCC 14.30	Tim Stever, 425-452-4294
Transportation Department Design Manual	Tyler Moore 425-452-6933
Traffic Standards Code 14.10	Tyler Moore 425-452-6933
Utility Code – BCC Title 24	Mark Dewey, 425-452-6828

A. GENERAL CONDITIONS

Additional conditions or deletions as provided by land use, transportation, and or utilities departments.

1. PRELIMINARY DESIGN, UTILITY CODES AND ENGINEERING STANDARDS

Utility review has been completed on the preliminary information submitted at the time of this application. The review has no implied approvals for water, sewer and storm drainage components of the project. Storm (UB), water (UC) and sewer (UA) facilities proposed for this short plat shall be reviewed and approved under individual side sewer, water and storm drainage permits. The applicant will be required to hand in a drainage report and storm water site plan with each building permit following the design concept proposed for this short plat application. Final engineering plans may require changes to the site layout

to accommodate the utilities. Engineering plans must be designed and stamped by a professional engineer licensed in the state of Washington and must conform to the Utilities Code and the Utilities Engineering Standards.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06
REVIEWER: Mark Dewey, Utilities

2. NOISE - CONSTRUCTION HOURS

The proposal will be subject to normal construction noise hours of 7am to 6 pm Monday through Friday, and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration.

AUTHORITY: Bellevue City Code 9.18
REVIEWER: Leah Chulsky, Development Services Department

3. TIME LIMITATION

This preliminary short plat approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of the preliminary short plat approval unless the applicant has received an extension for the preliminary short plat pursuant to Land Use Code Section 20.45B.160.

AUTHORITY: Land Use Code Section 20.45B.150; 20.45B.160
REVIEWER: Leah Chulsky, Development Services Department

B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times

during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Tim Stever, Transportation Department

2. OFF-STREET PARKING

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation, or demolition permit.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Tyler Moore, Transportation Department

3. ENGINEERING PLANS AND FRONTAGE IMPROVEMENTS

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the joint use driveway, connection to SE 40th Street., pavement restoration in SE 40th Street., mailbox location and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

The following street frontage improvements shall be completed:

- Widen the roadway on SE 40th Street to provide 14 ft. of asphalt pavement width from the right-of-way centerline to the face of the new curb along the property frontage.
- Install a minimum 6 ft. wide sidewalk, minimum 5.5 ft. wide planter strip and new curb and gutter along the frontage.
- Safety railing behind the sidewalk if warranted per City of Bellevue Transportation Design Manual requirements.
- Install ADA compliant asphalt transition ramps from the east and west ends of the frontage improvements to the existing shoulders on SE 40th Street.
- Remove the existing joint use access driveway and replace with a minimum paved 20 ft. wide private road (25 ft. private access and utilities easement) approach to SE 40th Street per Transportation Design Manual Standard Drawing SW-150-1.
- Fixed objects cannot be located within 10 ft. of the edge of the driveway per the Transportation Design Manual, Section 15.
- New mailbox locations shall be coordinated with the US Postal Service Station Master and should not impede sight lines.
- Street lighting meeting City of Bellevue's standards per BCC 14.60.210 is required

on SE 40th Street. An AGI analysis is required to verify that minimum light levels are met.

Private Road improvements shall include:

- The private road must be a minimum of 20 ft. wide contained within a minimum 25 ft. wide shared access and utility easement between SE 40th Street and the north end of the road.
- The private road grade is limited to 10 percent or less for the 20 ft. past the back of the sidewalk and shall be limited to a maximum grade of 15 percent thereafter. Roadway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- Curb and gutter are required on private roads exceeding 9 percent in grade.
- Sight distance requirements must be met per BCC 14.60.240 and 14.60.241 at the intersection of the private road and SE 40th Street.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: Bellevue City Code 14.60, Transportation Department Design Manual, Transportation Department Design Manual Standard Drawings, and Americans with Disabilities Act.
REVIEWER: Tyler Moore, Transportation Department

4. SIGHT DISTANCE

The private road access onto SE 40th Street shall meet the City of Bellevue's minimum sight distance requirements. If necessary, to meet the sight distance requirements of BCC 14.60.240 and 14.60.241, and standard drawings RL-100-1 and RL-120-1, existing vegetation near access points on SE 40th Street must be trimmed. Ground vegetation within the sight distance triangle must be trimmed to no more than 2.5 ft. above a line drawn from pavement level to pavement level. Tree within the sight triangle must be limbed up to a height of 7.5 ft. above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading set.

AUTHORITY: Bellevue City Code 14.60.240 & 14.60.241
REVIEWER: Tyler Moore, Transportation Department

5. PAVEMENT RESTORATION

The city's pavement manager has determined that this segment of SE 40th Street is classified as "Grind and Overlay" required. Should street cuts prove unavoidable or if the street surface is damaged during the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 ft. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings RC-190-1, RC-200-1, and RC-210-1. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 23
REVIEWER: Tyler Moore, Transportation Department

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. INFRASTRUCTURE IMPROVEMENTS

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

Transportation Development Code Section 14.60.260 provides for a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241, 260 Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19
REVIEWER: Tyler Moore, Transportation Department

2. ACCESS DESIGN AND MAINTENANCE

The final Subdivision map must include a note that specifies that the owners of lots served by the private road are jointly responsible for maintenance and repair of the private road. Also, the final Subdivision map must include a note that specifies that the private road will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed.

AUTHORITY: Bellevue City Code 14.60.130
REVIEWER: Tyler Moore, Transportation Department

3. TREE PROTECTION

To mitigate adverse impacts to trees to be retained during construction:

- a.** Clearing limits shall be established for retained trees within the developed portion of the site, outside of drip lines. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits prior to initiation of any clearing and grading.
- b.** No excavation, clearing, or soil placement should be performed within drip lines of retained trees except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city.

AUTHORITY: Bellevue City Code 23.76.060
REVIEWER: Leah Chulsky, Development Services Department

4. TREE PRESERVATION PLAN

The City of Bellevue urges the applicant to save as many trees as possible. The final short plat shall portray a minimum of 134 diameter inches of existing significant healthy trees to remain. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the final short plat mylar. The Tree Preservation Plan must contain the following note:

“Tree Preservation Plan”:

Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant.”

Tree tags shall be installed on each tree required for retention. Installation of these tags shall be inspected by the land use planner prior to final short plat approval. Contact Carol L. Orr at 425-452-2896 and/or corr@bellevuewa.gov to schedule the tree tag inspection. Note: tree tags can be obtained from the land use planner.

AUTHORITY: Land Use Code 20.20.520.E
REVIEWER: Leah Chulsky, Development Services Department

5. VARIANCE RESTRICTION

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance. The following

language shall be placed on the final short plat document:

“Variance restriction: Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.”

AUTHORITY: Land Use Code 20.45B.130.A.6

REVIEWER: Leah Chulsky, Development Services Department

LIST OF ATTACHMENTS

- A. Plans and Drawings
- B. Zoning Map
- C. Vicinity Map